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10 HOLOGIC, INC., CYTYC CORPORATION and HOLOGIC LP

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 HOLOGIC, INC., CYTYC CORPORATION,
and HOLOGIC LP,

15 Plaintiff,

16 vs.

17 SENORX, INC.,

18 Defendant.
19

Case No. C08 00133 RMW

**DECLARATION OF GLENN MAGNUSON
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANT'S MOTION
FOR CONTINUANCE OF THE HEARING
ON PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

PUBLIC VERSION

1 I, Glenn Magnuson, do declare and state as follows:

2 1. The facts set forth below in this declaration are based upon my personal knowledge, and
3 if called as a witness, I could and would testify competently those facts.

4 2. I earned a Bachelor's of Science in Business Administration from Bryant University in
5 1986. I worked at Abbott Diagnostics between 1991 and 2002. In 2002, I began working at Cytyc
6 Corporation ("Cytyc") as the Director of Marketing for Cytyc's ThinPrep[®] System for cervical cancer
7 screening. I continued in this position through 2004. In 2005, I became the Regional Business
8 Director Northeast for the Cytyc's NovaSure[®] (an endometrial ablation device to treat menorrhagia)
9 and ThinPrep[®] product lines.

10 3. In mid-2006, I was promoted to Senior Director of Product Marketing for Cytyc's
11 Breast Health Unit. Cytyc combined with Hologic, Inc. ("Hologic") in 2007 and I am still the Senior
12 Director of Product Marketing for Hologic's Breast Health Unit. As the Senior Director, I am
13 responsible for all marketing efforts with respect to Hologic's MammoSite[®] Radiation Therapy
14 System. My job requires that I understand the factors that drive sales of our breast health products
15 globally, so that I can provide the appropriate resources and tools to the sales forces to maximize sales.
16 I am also responsible for developing forward-looking strategies, such as identifying devices and
17 instruments that will enable the franchise to grow. Another of my responsibilities within the company
18 is to contribute input into continued product development and future innovation of products related to
19 breast health.

20 4. From April 30 through May 4, 2008, the American Society of Breast Surgeons (ASBS)
21 is holding their annual conference in New York City. REDACTED

22 Over 1200 breast surgeons are expected to attend, which
23 represents nearly half of all breast surgeons in the country. Last year, Hologic conducted a symposium
24 at the ASBS conference at 6:30am and still had over 100 people in attendance. About 80% of those
25 were new to MammoSite and were there to learn and hear from Hologic's presenters and experts about
26

27 ¹ Plaintiffs' have moved concurrently with this filing to seal shaded portions of text.

1 breast brachytherapy. REDACTED

2 I understand that SenoRx intends to hold a
3 symposium at the ASBS this year, which will target, and significantly draw from, surgeons who would
4 otherwise use the MammoSite.

5
6 I declare under penalty of perjury that the foregoing is true and correct.

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8 _____
Glenn Magnuson²

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10 Executed in _____, February __, 2008

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26 _____
27 ² Mr. Magnuson verbally approved this declaration. A signed declaration will be submitted to the
28 Court tomorrow (February 22, 2008).